

REMARKS / ARGUMENTS

The claims are 5-7. Claim 5 has been amended to better define the invention, and claim 4 has been canceled. In addition, new claims 6 and 7 have been added, directed to a method of illuminating a large area LCD billboard for outdoor advertising. The specification has also been amended to correct a clerical error noted therein. Support may be found, *inter alia*, in the disclosure at page 8. Reconsideration is expressly requested.

Applicant would like to thank the Examiner and his Supervisor for the courtesy of a telephone interview on March 4, 2008, the substance of which is set forth herein. In the final Office Action prior to the filing of the Request for Continued Examination (RCE) herewith, claims 4-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Poliakine U.S. Patent Application Publication No. 2003/0146891* (presumably in view of *Won U.S. Patent No. 6,705,750*) for the reasons set forth on pages 2-3 of that Office Action. Essentially, the Examiner's position was that *Poliakine* discloses the LCD billboard recited in the claims except for a motorized activation means connected

to a lighting device, which was said to be taught by Won. The Examiner also took the position that the recitation that the lighting device includes only two positions, namely an active position or a reserve position, was mere functional language that the Examiner did not need to consider, absent claim language setting forth structure enabling such a function.

At the telephone interview on March 4, 2008, this rejection was discussed along with a proposed amended claim 5, which incorporated the subject matter of claim 4. No agreement was reached and the Examiner indicated that in his view the proposed amendment would still not place the case in condition for allowance; however, the Examiner suggested that if more structure were added to the claim, such as is referred to on page 8 of the disclosure, doing so might place the case in condition for allowance subject to further consideration and search. The Examiner also indicated that if Applicant wished to present method claims, then they should be presented in a formal amendment for his consideration.

Accordingly, Applicant has amended claim 5 to specify that the board has a frame with a pivotally-mounted rail and a recess

in a rear portion of the frame away from the viewer side, with the lamps mounted on the rail, and the rail with the lighting device being physically moved into a recessed position towards the rear portion of the frame and the lamps into the recess so that the rail and the lamps can no longer be seen by a viewer in the recessed position. In addition, Applicant has added new method claim 6 incorporating similar features. Accordingly, the Examiner's rejection is respectfully traversed and it is respectfully submitted that claims 5-7 define patentable subject matter for the following reasons.

As set forth in claim 5 as amended, Applicant's invention provides a large-area LCD billboard for outdoor advertising shown as 1 in FIG. 1. The billboard includes a viewer side including reflective LCD elements having a luminosity dependent on intensity and direction of lighting. The board includes a frame having a pivotally-mounted rail and a recess in a rear portion of the frame away from the viewer side. An artificial lighting device is provided on the board including a plurality of lamps 13 mounted on the rail for illuminating the board from the viewer side for periods when sunlight falling on the board is insufficient. Motorized activation means 11 is connected to the lighting device for physically moving the rail with the

lighting device into a recessed position toward the rear portion of the frame and the lamps into the recess and out of a beam path of the sunlight falling on the board so that the rail and the lamps can no longer be seen by a viewer in the recessed position. A control system with a light sensor 19 is provided for activating the activation means.

Prior devices had the disadvantage that the lighting devices cast shadows on the billboards in daylight. With Applicant's billboard, the lighting device is physically moved out of the beam path of the sunlight so that shadows cannot be cast onto the billboard by the lamps. By moving the lighting device into a recessed position, the lighting device is completely moved out of the viewing field of the viewer, so that the viewer cannot see the lighting device which is particularly esthetically pleasing.

The primary reference to *Poliakine* fails to disclose or suggest a large-area LCD billboard for outdoor advertising or a method of illuminating a large-area LCD billboard for outdoor advertising as recited in Applicant's claim 5 and 6 including a board having a frame with a pivotally-mounted rail and a recess in a rear portion of the frame away from the viewer side so that

lamps mounted on the rail are physically moved into a recessed position towards the rear position of the frame and the lamps into the recess and out of a beam path of the sunlight falling on the board so that the rail and the lamps can no longer be seen by a viewer in the recessed position. *Poliakine* discloses an electronic billboard and an external illumination system shown as four lamps 20 in FIG. 1. The lamps 20 are selectively operated by a control unit 14 to turn the lamps on and off. See, for example, paragraph 48 of *Poliakine*. The lamps, however, are fixed. They cannot be tilted, flipped or pulled away from the beam path of the sun. The control system does not activate a motorized activation means in *Poliakine*. It just activates the lamps. There is no motorized activation means in *Poliakine* that physically moves the lamps.

The defects and deficiencies of the primary reference to *Poliakine* are nowhere remedied by the secondary reference to *Won*. *Won* discloses an electric driven desk lamp in which a drive motor 70 moves the light head 100 between an upper point shown in FIG. 1 for lighting over the widest range and a lowest point shown in FIG. 2 where the lamp is used as "mood lighting". See col. 4, lines 27-29 of *Won*. There is no disclosure or suggestion of using this device in outdoor advertising. In

fact, *Won* is directed to "domestic lighting equipment for desk lamps". See col. 1, lines 19-20 of *Won*. *Won* has no disclosure or suggestion of an inactive position. All positions of *Won* are used for lighting. There is no disclosure or suggestion of moving the desk lamp out of the path of sunlight.

Thus, it is respectfully submitted that there would be no reason to modify *Poliakine* to have a motorized activation means for its lamps because there is nothing in *Won* to suggest that moving the lamps in an outdoor billboard would be useful. *Won's* concern of moving lamps without relying on conventional mechanical methods at col. 1, lines 30-45 of *Won* is entirely of no concern to *Poliakine* because *Poliakine* uses no motorized activation means. *Poliakine* lamps are fixed.

Thus, it is respectfully submitted that *Won* is not reasonably pertinent to the particular problem with which Applicant was involved, namely to provide light to an outdoor LCD display when sunlight is insufficient without causing shadows to show on the LCD board during times when sunlight is sufficient. It is also respectfully submitted that no reason has been identified that would have prompted a person of ordinary skill in the relevant field to combine the elements in

the way Applicant has done. The Examiner's position that one would be motivated to actuate the lamp position using a motorized actuation means in order to obviate the need to manually move each lamp for accurately positioning the lamp without mechanical part wear is not supported by anything in *Poliakine* or *Won*. *Poliakine* is entirely unconcerned with accurate positioning of the lamps. *Poliakine* just says the device is illuminated from the front (paragraph 21) by four lamps located in the corners of the billboard (paragraph 48) or along the sides (paragraph 49).

Moreover, even if one were to incorporate *Won*'s drive motor to move the lamps of *Poliakine*, one would still not achieve Applicant's billboard as recited in claim 5 as amended, wherein the lamps are moved to an inactive position.

New claim 6 specifies the features of the large-area LCD billboard recited in claim 5 including the recitation that the board includes a frame having a pivotally-mounted rail and a recess and a rear portion of the frame away from the viewer side and the step of moving the rail with the lighting device into the recessed position toward the rear portion of the frame and the lamps into the recess and away from the beam path by the

motorized activation means so that the rail and the lamps can no longer be seen by a viewer in the recessed position.

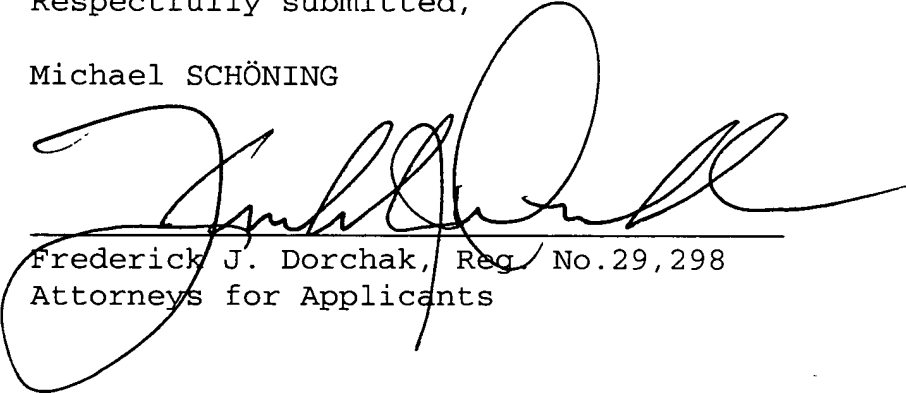
Accordingly, it is respectfully submitted that new claim 6, together with claim 7 which depends thereon, likewise contain patentable and unobvious subject matter.

In summary, claim 4 has been canceled, claim 5 has been amended, and new claims 6 and 7 have been added. The specification has also been amended. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,

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